

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 12 and 21 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-22 are now pending in this application.

102 Anticipation Rejections of Claims 1, 3, 6, 12, 14, and 17

Claims 1, 3, 12, and 14 are currently rejected as being unpatentable over Ito (U.S. 2002/0019291) under 35 U.S.C. § 102(b). This rejection is respectfully traversed.

Claim 1 requires an idle speed control system that determines “a target idle speed by correcting the basic idle speed based on the signal such that the target idle speed increases as the parameter based on a torque converter speed ratio increases when the automatic transmission is in a drive range in engine idling condition.” Claim 12 requires a method for controlling an engine idle speed that determines “a target idle speed by correcting the basic idle speed based on the parameter based on a torque converter speed ratio such that the target idle speed increases as the parameter based on a torque converter speed ratio increases.”

Ito teaches an engine control system for controlling engine output torque according to engine output torque requests made by a driver. (See U.S. 2002/0019291; paragraph 0003). In particular, Ito teaches that engine idle speed may be increased in standby operation in anticipation of accelerator pedal depression (paragraphs 0038-0049), that idle speed may be controlled in standby mode when the vehicle is accelerated from a decelerated state (paragraphs 0056-0065), and that torque is controlled in a standby operation before a gearshift

operation is performed (paragraphs 0074-0088). These embodiments teach that idle speed and/or torque are increased to a higher value in preparation for an anticipated operation, such as the depression of the accelerator pedal, acceleration during a decelerated state, or a gearshift operation. However, none of these embodiments teach that engine idle speed is controlled so that the target idle speed increases as a signal or parameter based upon a torque converter speed ratio increases. Ito teaches a step increase of idle speed to a new value, not that idle speed is increased as a parameter or signal based on a torque converter speed ratio increases. Withdrawal of this rejection is respectfully requested.

Claims 1, 6, 12, and 17 are currently rejected as being unpatentable over Melbourne (U.S. Patent 5,863,277) under 35 U.S.C. § 102(b). This rejection is respectfully traversed.

Melbourne teaches an idle speed control for an engine that permits a first idle speed and a second idle speed that is higher than the first idle speed, with the second idle speed for achieving a desired vehicle creep. (See U.S. Patent 5,863,277; column 2, lines 32-40). Melbourne does not teach that the target idle speed increases as a signal or parameter based on a torque converter speed ratio increases because Melbourne only teaches a second idle speed that is higher than the first idle speed. Although Melbourne teaches that the idle speed may be changed in a stepwise or ramping fashion from the first idle speed to the higher second speed, this is done to maintain smoothness in the drive train operation, not in response to an increased signal or parameter based on a torque converter speed ratio. (See U.S. Patent 5,863,277; column 3, lines 32-45). Nor does Melbourne teach that the second idle speed changes as a signal or parameter based on a torque converter speed ratio increases. Withdrawal of this rejection is respectfully requested.

Indicated Allowable Subject Matter

Applicants gratefully acknowledge the indication that claims 2, 4-5, 7-8, 13, 15-16, and 18-19 contain allowable subject matter.

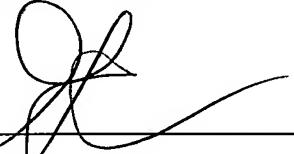
Applicants believe that withdrawn claims 9-11 and 20-22 should now be considered for allowance. In light of the amendments to claims 1, 12 and 21, Applicants believe that claims 1-22 are now allowable over the prior art.

Applicants believe that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

By 

Date April 1, 2005

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5426
Facsimile: (202) 672-5399

Glenn Law
Attorney for Applicant
Registration No. 34,371